

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT/ARREST WARRANT

I, Edward F. Winkelspecht, III, being duly sworn, depose and state as follows:

INTRODUCTION

1. I am a Special Agent for the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and have served in that capacity since January 4, 2009. I am currently assigned to the Norfolk Field Office (NFO) and charged with investigating violations of federal firearms, explosives, and arson laws. I am a graduate of both the Criminal Investigator Training Program and the ATF National Academy. At the ATF National Academy, I received special training in alcohol, tobacco, firearms, arson, explosives, and narcotic related crimes.

2. Prior to becoming a Special Agent with ATF, I was a Chesapeake Police Officer in the state of Virginia from 1998 until 2008. As a law enforcement officer, I investigated numerous crimes involving firearms and narcotics. These investigations required me to apply for search and arrest warrants in federal and state court. From April of 2008 to December of 2008, I was assigned to the Drug Enforcement Agency (DEA) as a Task Force Officer and investigated numerous drug and firearm violations in that capacity as well.

3. I make this affidavit in support of an application for an arrest warrant for Jerod Montrel ASKEW for possession with the intent to distribute heroin, in violation of Title 21, United States Code, Sections 841(a)(1) & (b)(1)(B), possession with the intent to distribute cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) & (b)(1)(C), possession with the intent to distribute marijuana, in violation of Title 21, United States Code, Sections 841 (a)(1) & (b)(1)(D), and possession of a firearm in furtherance of a drug trafficking crime in violation of Title 18, United States Code, Section 924(c)(1)(A).

4. I am submitting only those facts which I believe are necessary to establish probable cause in this matter. This affidavit should not be construed as a complete statement of all the information generated from the investigation. I have become aware of the facts and circumstances

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described below through law enforcement officers and reports completed by the Chesapeake Police Department (CPD) and Virginia Beach Police Department (VBPD).

FACTS SUPPORTING PROBABLE CAUSE

5. In February of 2020, CPD in conjunction with the Virginia State Police (VSP) received information from a Confidential Informant (hereafter referred to as CI-1) that an individual known as "Rod," with cell phone number (757) 533-XXXX, was involved in the distribution of large amounts of heroin. CPD later identified "Rod" as Jerod Montrel ASKEW and conducted surveillance in an attempt to confirm the information. Over the course of approximately one month, ASKEW was observed frequently visiting high drug, high crime areas, as well as homes directly associated to individuals previously involved in the distribution of cocaine in the city of Chesapeake.

6. In February of 2020, CPD utilized CI-1 to conduct a controlled purchase of heroin from ASKEW in Chesapeake, Virginia. CI-1 contacted ASKEW on the above listed cell phone number and ordered an amount of heroin in exchange for U.S. Currency. CI-1 met with ASKEW and completed the purchase shortly after. CPD obtained the heroin purchased from ASKEW and conducted a field test with positive results. After the controlled purchase, surveillance units followed ASKEW who was operating a rental vehicle at the time. ASKEW drove back to 3800 Halyard Court, Virginia Beach, Virginia. ASKEW's girlfriend was identified as Shamaya Roscoe and was directly associated with 3800 Halyard Court, Apt. 103, Virginia Beach, Virginia.

7. In March of 2020, CPD utilized CI-1 to conduct a second controlled purchase of heroin from ASKEW in Chesapeake, Virginia. CI-1 contacted ASKEW on the above listed cell phone number and ordered an amount of heroin in exchange for U.S. Currency. CI-1 met with ASKEW and completed the purchase shortly after. CPD obtained the heroin purchased from ASKEW and conducted a field test with positive results. After the controlled purchase, surveillance units followed ASKEW who was operating a black Jeep Grand Cherokee bearing Virginia

registration URB-9574. ASKEW went back to 3800 Halyard Court, Apt. 103, Virginia Beach, Virginia, and observed ASKEW utilizing a key to access the apartment.

8. During the investigation, CPD conducted physical surveillance on ASKEW and observed him coming and going from 3800 Halyard Court, Apt. 103, Virginia Beach, Virginia on numerous occasions. Additionally, ASKEW has been observed operating the above listed Jeep Grand Cherokee.

9. On March 23, 2020, CPD conducted surveillance on ASKEW at his residence listed above. ASKEW was observed walking out of his residence with a white bag and placing it in a blue Honda Accord bearing Virginia registration VSS-1207. ASKEW left shortly after and was followed to the Norfolk International Airport where ASKEW was observed parking his vehicle near the car rental return/pickup. Physical surveillance on ASKEW was dropped at this time. Approximately 7 hours later, CPD observed ASKEW returning a white SUV rental vehicle at Norfolk International Airport. ASKEW was carrying a white grocery bag that appeared to have a dark, rectangular shaped item inside. This item was described as slightly bigger than a VHS tape and suspected of being a kilogram of narcotics. ASKEW returned to the blue Honda previously described and was followed directly back to his residence.

10. On March 24, 2020, a state search warrant was issued to search 3800 Halyard Court, Apt. 103, Virginia Beach, Virginia, the black Jeep Grand Cherokee bearing Virginia registration URB-9754, and a 2006 blue Honda Accord bearing Virginia registration VSS-1207 for heroin and items related to the distribution of narcotics.

11. On March 24, 2020, CPD, VBPD, and VSP were conducting surveillance on ASKEW. Surveillance followed ASKEW from his residence to AAAA Storage located at 1940 Kempsville Road, Virginia Beach, Virginia. At the time, ASKEW was operating the black Jeep Grand Cherokee bearing Virginia registration URB-9754 which they had a search warrant for. Shamaya Roscoe and children were also present in the vehicle. ASKEW stayed at AAAA Storage

for approximately 5-8 minutes before leaving and heading into the city of Chesapeake. CPD conducted a traffic stop on the vehicle for the search warrant and dark window tint at 4345 Indian River Road, Chesapeake, Virginia. CPD drug detection dog (K-9 Doug) responded and was utilized to conduct a free air sniff of the vehicle for the odor of narcotics. ASKEW and Roscoe exited the vehicle and requested that their children remain inside. ASKEW left the driver's side door open when he exited the vehicle. K-9 Doug alerted for the presence of narcotics at the driver's side door. ASKEW was physically detained at this time. K-9 Doug was deployed in the front passenger compartment of the vehicle and alerted to the center arm rest.

12. Detective A. Gosnell with CPD advised ASKEW of his Miranda Rights which he understood and agreed to speak to law enforcement. A search of the arm rest was conducted and a plastic baggie was recovered. Underneath the tray inside the arm rest was a loaded .40 caliber Glock 27, SN: TZU494. Without being prompted, ASKEW stated, "Damn I forgot that was in there." Additionally, K-9 Doug alerted to ASKEW's front right pants pocket. ASKEW advised he had a cell phone in his pocket but had smoked marijuana earlier. With regard to the plastic baggie discovered, ASKEW stated that there was probably marijuana in it earlier.

13. Meanwhile, VBPD executed a search warrant at 3800 Halyard Court, Apt. 103, Virginia Beach, Virginia and found the following items:

- a. Springfield, Model: XD, Caliber: 9mm, serial # XD982708, loaded with 16 rounds of ammunition – located in front closet
- b. Glock, Model: 17, Caliber: 9mm, serial # UZW540, loaded with 16 rounds of ammunition - (stolen – Chesapeake) – located in front closet
- c. Glock, Model: 23, Caliber 40, serial # BAEA816, loaded with 15 rounds of ammunition – located in front closet
- d. Colt, Model: 1911, Caliber 45, serial #2795312, loaded with 8 rounds of ammunition - (stolen – Virginia Beach) – located in front closet
- e. CZ, Model: P-09, caliber: 9mm, serial # C619050, loaded with 19 rounds of ammunition - (stolen – Norfolk) – located in master bedroom dresser

- f. Smith & Wesson, Model: MP Shield, caliber: 380, serial # NDR5456, loaded with 8 rounds of ammunition – located in master bedroom in purse
- g. Five (5) cell phones
- h. Electronic scale
- i. Plastic bags
- j. \$11,567.00 in U.S Currency – located in dresser and kitchen trashcan between the trash bag and the container
- k. 443 grams (approx. 1 lb.) of marijuana
- l. 248 grams (approx.. ¼ kilogram) of heroin
- m. 1.6 grams of cocaine
- n. 12.49 grams of cocaine
- o. .37 grams of cocaine – suspected cocaine base
- p. 27.41 grams of cocaine – suspected cocaine base
- q. 1.48 grams of cocaine
- r. 1.8 grams of cocaine
- s. Blender and two metal sifters
- t. Documentation for AAAA Storage located at 1940 Kempsville Road, Virginia Beach, Virginia, unit F003 in the name of ASKEW

14. During the execution of the search warrant, Shamaya Roscoe (ASKEW's girlfriend) made contact with Det. A. Gosnell with CPD. Roscoe asked Det. Gosnell if she could retrieve her firearm from inside the residence. Roscoe advised that her firearm was in her bedroom and identified it as a .380 (Identified by caliber only). Roscoe did not claim any of the other firearms and appeared to have no knowledge that they were in the residence.

15. VBPD went to AAAA Storage located at 1940 Kempsville Road, Virginia Beach, Virginia, unit F003 and utilized a certified drug detection dog (K-9 Batu) which gave a positive alert for narcotics. A search warrant was issued and executed and located the following items:

- a. Cobray, Model: PM-11/9MM, Caliber: 9, Serial # 94-0023617 with magazines and ammunition for other firearms
- b. 1592 grams (approx.. 3.5 lbs) of marijuana

- c. Gun box for .40 caliber Glock 27, SN: TZU494 (firearm recovered in vehicle)
- d. Packaging consistent with kilogram quantities of heroin and or cocaine
- e. Press (commonly used to recompress heroin, cocaine, and marijuana)
- f. Inositol (common cutting agent for narcotics)
- g. Bowl and utensil
- h. Two (2) boxes of sandwich bags
- i. Ammonia

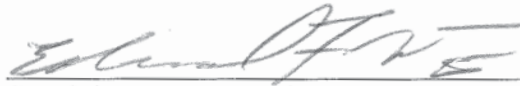
16. VBPD packaged the suspected heroin, cocaine, and marijuana listed above and sent it to the Virginia Department of Forensic Science located in Norfolk, Virginia for testing. On July 30, 2020, a certificate of analysis was completed and found all items listed above to be positive.

17. I conducted a criminal history check of ASKEW and found that ASKEW has been arrested for driving while intoxicated (DWI – guilty) possession of a schedule 1 or 2 substance (deferred finding), and possession of a firearm with schedule 1 or 2 substance (dismissed) in September of 2016. SA Winkelspecht found that ASKEW took a deferred finding (first offender) for the possession of a schedule 1 or 2 substance which was dismissed on February 14, 2020, the same time frame that this investigation started.

CONCLUSION

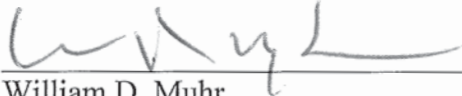
18. Based on the before mentioned, I submit there is probable cause to believe that on March 24, 2020, in the Eastern District of Virginia, Jerod Montrel ASKEW was in possession with intent to distribute heroin, in violation of Title 21, United States Code, Sections 841 (a)(1) & (b)(1)(B), possession with intent to distribute cocaine, in violation of Title 21, United States Code, Sections 841 (a)(1) & (b)(1)(C), possession with intent to distribute marijuana, in violation of Title 21, United States Code, Sections 841 (a)(1) & (b)(1)(D), and possessed a firearm in furtherance of a drug trafficking crime, in violation of Title 18, United States Code, Section 924(c)(1)(A), and ask that an arrest warrant be issued.

Further, your affiant sayeth naught.



Special Agent Edward F. Winkelspecht, III
Bureau of Alcohol, Tobacco, Firearms

READ AND REVIEWED:



William D. Muhr
Assistant United States Attorney

Sworn and subscribed to before me this 9th day of September, 2020



Douglas E. Miller, USMJ
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UNITED STATES MAGISTRATE JUDGE

At Norfolk, Virginia